

225206



Mack H. Shumate, Jr.
Senior General Attorney, Law Department

June 2, 2009

VIA E-FILING

The Honorable Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

Re: Abandonment Exemption and Discontinuance of Operations over the Weber Industrial Lead from M.P. 5.8 near Wilson Avenue to M.P. 9.5 near Touhy Avenue, a distance of 3.7 miles in Cook County, Illinois; STB Docket No. AB-33 (Sub-No. 263X)

Dear Secretary Quinlan:

Union Pacific Railroad Company ("Union Pacific") has received a request from the Village of Lincolnwood, an Illinois municipal corporation, (the "Village"), seeking the issuance of a Certificate or Notice of Interim Trail Use pursuant to 16 U.S.C. § 1247(d) and 49 C.F.R. § 1152.29 for the portion of the Union Pacific's Weber Industrial Lead located in the Village of Lincolnwood between approximately Milepost 8.4 at Devon Avenue to the border with the Village of Skokie, Illinois, at approximately Milepost 9.4 near Touhy Avenue, a distance of approximately 1.0 mile in Cook County, Illinois.

The Union Pacific is willing to negotiate with the Village concerning the acquisition of the subject property for trail use and supports the Village's request to negotiate for a period of 180 days. A copy of the Village's request dated June 1, 2009 is attached hereto as Exhibit "A" and hereby made a part hereof.

Sincerely,

A handwritten signature in black ink, appearing to read "Mack H. Shumate, Jr.", with a stylized flourish at the end.

Attachment

cc: Village of Lincolnwood

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Chicago, IL 60603-5517
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FILING ALL MAILED

June 1, 2009

Steven M. Elrod
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Via Electronic Filing

The Honorable Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

225197

Re: Union Pacific Railroad Company
Abandonment of Weber Industrial Lead, Lincolnwood, Illinois
STB Docket No. AB-33 (Sub-No. 263X)
Petition for Public Use Condition and Interim Trail Use

Dear Secretary Quinlan:

The Village of Lincolnwood, Illinois (the "*Village*"), a political subdivision, hereby petitions the Surface Transportation Board for an order extending its Decision and Notice of Interim Trail Use or Abandonment in the above-referenced matter ("*Decision*") for an additional 180 days, through and including December 13, 2009.

On November 25, 2008, the Village filed its Petition for a Public Use Condition as well as an Interim Trail Use Condition ("*Petition*"), rather than an outright abandonment authorization, for that portion of the Weber Industrial Lead located within the corporate boundaries of the Village, extending from approximately Milepost 8.4 near Devon Avenue to approximately Milepost 9.45 near Touhy Avenue. As part of the Petition, the Village filed its Statement of Willingness to Assume Financial Responsibility pursuant to 49 CFR §1152.29.

On December 17, 2008, the Board issued its Decision, providing for a 180-day period for negotiations between the Village, the City of Chicago, and Union Pacific Railroad Company ("*UP*"). Since the date of the Decision, the Village has ordered an appraisal of the property for budget purposes, and has continued its development of plans for the use of the right-of-way for trail and/or other public purposes, all in accordance with the Petition. The Village has also appropriated monies in its 2009-2010 budget for acquisition of the property, and has applied for a grant to support the proposed trail use of the property. However, the Village does not expect to receive a decision on its grant application until November 2009. Thus, in order to complete its trail plan and to continue negotiations with UP to a successful conclusion, the Village requests additional time.

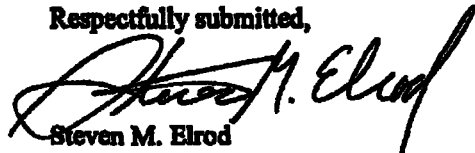
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Thus, the Village respectfully requests that the Board issue an order extending the negotiation period for an additional 180 days, through and including December 13, 2009. In support of its request, the Village renews its Petition and its Statement of Willingness to Assume Financial Responsibility.

By my signature below, I certify service upon Union Pacific Railroad Company, c/o Mack H. Shumate, 101 North Wacker Drive, Room 1920, Chicago, Illinois 60606, and upon the City of Chicago, c/o Mr. Thomas Byrne, 30 North LaSalle Street, Suite 500, Chicago, IL 60602-2570, by U.S. Mail, postage pre-paid, first class, this 1st day of June, 2009.

Respectfully submitted,



Steven M. Elrod
Village Attorney
Village of Lincolnwood

cc: Village President and Board of Trustees
Tim Wiberg, Village Administrator
Janice Hincup, Director of Parks & Recreation

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